

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FIELDTURF USA, INC., ET AL.)	
)	CASE NO.: 1:06CV2624
Plaintiffs,)	
)	Judge Patricia A. Gaughan
v.)	
)	<u>PLAINTIFFS' MOTION FOR</u>
SPORTS CONSTRUCTION GROUP,)	<u>LEAVE TO FILE LATE BY</u>
LLC, ET AL.)	<u>SEVENTEEN HOURS</u>
)	
Defendants.)	

Plaintiffs FieldTurf USA, Inc. and FieldTurf Tarkett Inc. (collectively "FieldTurf") respectfully move this Court for a nine hour extension of the deadline for filing its Motion to Disqualify in this case. In support of this Motion, FieldTurf states as follows.

According to the Court's Scheduling Order entered September 10, 2007, FieldTurf was granted leave to file a motion to disqualify by September 24, 2007.

FieldTurf has in good faith attempted to file the motion to disqualify before 11:59 EST, September 24, 2007, but it realized that additional time would be needed for the motion as FieldTurf's counsel recognized a need to merge the motion with a parallel and dispositive motion for default judgment. FieldTurf submits that such a merger will streamline the judicial process in this case as FieldTurf's motion for default judgment, and, FieldTurf's motion to disqualify (now being submitted as one motion) should dispose of significant issues in this case -- thereby saving significant expenditures of resources of all the parties as well as the Court. This request is not being made for the purpose of undue delay.

Because the merged motion will save judicial resources by virtue of such merging, because the delay was unintentional and short (16 hours), and because the filing of the motion does not shorten a response deadline for Defendant Sports Construction Group, LLC on this or on any other Court mandated deadlines, there should be no prejudice to Defendant in this case.

WHEREFORE, FieldTurf respectfully requests that the Court accept this Motion despite its late filing by nine hours.

Respectfully submitted,

Date: September 25, 2007

s/Micheal D. Lake
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Attorneys for Plaintiffs
FieldTurf USA, Inc. and FieldTurf Tarkett Inc.

CERTIFICATE OF SERVICE

I, Micheal D. Lake, hereby certify that on this 25th day of September 2007, a copy of the foregoing document entitled, **“PLAINTIFFS’ MOTION FOR LEAVE TO FILE LATE BY SIXTEEN HOURS”** was filed electronically via the Court’s ECF/CM System. Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court’s system.

s/ Micheal D. Lake
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